

Name or Lawyer's Name: (A) _____
Your Address: _____
Your City, State, Zip Code: _____
Your Telephone Number: _____
ATLAS Number: _____
State Bar Number: _____
Representing ☐ Self (Without a Lawyer) or ☐ Petitioner or ☐ Respondent

**SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY**

(Name of Petitioner) (B)

Case Number: _____ (C)

**DECREE OF DISSOLUTION OF MARRIAGE
(DIVORCE) WITH CHILDREN**

(Name of Respondent)

☐ By Consent (D)
☐ By Default
☐ After Trial

THE COURT FINDS: (E)

1. This case has come before this court for a final Decree of Dissolution of Marriage. The court has taken all testimony needed to enter a Decree, or the court has determined testimony is not needed to enter the Decree.
2. This court has jurisdiction over the parties under the law and the provisions of this Decree are fair and reasonable under the circumstances, and are in the best interests of the minor child(ren) as to custody, parent access (visitation), and support.

SERVICE BY PUBLICATION:

If Respondent was served by publication and was not personally served, this court cannot make a legal order, with respect to issues of child support, medical and dental insurance, payments, expenses for the minor child(ren), community property or debt, or spousal maintenance/support. The court reserves jurisdiction until personal service is made upon Respondent to consider the maintenance/support of either spouse, the disposition of community property or debts, child support, and any other relief requested in the Petition or orders deemed necessary by the court.

3. The Court finds that:

- a. **90 Day Requirement:** At the time this action was filed, the Petitioner or the Respondent had lived in Arizona for more than 90 days, or had lived in Arizona while a member of the United States Armed Forces for more than 90 days.
- b. **Conciliation Court.** The provisions relating to the Conciliation Court either do not apply or have been met.

- c. **Irretrievably Broken.** The marriage is irretrievably broken or the parties desire to live separate and apart. This marriage is not a covenant marriage.
- d. **Custody, Support, Spousal Maintenance/Support, Division of Property and Debt.** Where it has the legal power and where it is applicable to the facts of this case, this court has considered, approved, and made Orders relating to issues of child custody, parent access (visitation), child support, spousal maintenance/support (alimony), and the division of property and/or debts.
- e. **Community Property and Debt.**
☐ The parties did **not** acquire any community property or debt during the marriage, **OR**
☐ The parties have agreed to a division of community property and/or debt as evidenced by their signatures on **"Exhibit A"** attached to and incorporated into this Decree, **OR**
☐ There is no agreement as to division of community property and debt, but all community property and debt is divided pursuant to this Decree.
- f. **Pregnancy.**
☐ Wife is **not** pregnant, **OR**
☐ Wife is pregnant, and the husband ☐ **IS** OR ☐ **IS NOT** the father of the child.
- g. **Spousal Maintenance/Support.**
☐ The Petitioner, **OR**
☐ The Respondent lacks enough property, including property given to him or her as part of this divorce, to provide for his or her reasonable needs, and is unable to support himself or herself through an appropriate job, or he or she is providing the primary care to a child(ren) of young age or is of a condition that they should not be required to look for work outside the home, or lacks earning ability necessary to support himself or herself, or contributed significantly to the educational opportunities of the other spouse, or had a marriage that lasted a long time and is of an age that may severely limit the possibility of getting a job to support himself or herself.
- h. **Parent Information Program.**
1. Petitioner ☐ has attended the Parent Information Program class as evidenced by the **"Certificate of Completion"** in the court file. **OR**
Petitioner ☐ has not attended the Parent Information Program class and ☐ shall be denied any requested relief to enforce or modify this decree until Petitioner has completed the class.
2. Respondent ☐ has attended the Parent Information Program class as evidenced by the **"Certificate of Completion"** in the court file. **OR**
Respondent ☐ has **not** attended the Parent Information Program class and ☐ shall be denied any requested relief to enforce or modify this decree until Respondent has completed the class.
- i. **Deviation from Child Support.** The court, having considered the best interests of the child(ren), deviates from the guidelines for the following reasons:
- ii.
☐ Application of the guidelines is inappropriate
☐ Application of the guidelines is unjust
☐ The parties have signed a written agreement with knowledge of the amount of support that would have been ordered by the guidelines but for the agreement.

The court makes the following finding regarding the deviation:

- ☐ The child support order would have been \$_____
- ☐ The child support order after deviation is \$_____
- ☐ All parties have signed the agreement free of duress and coercion.

- j. **Physical Custody Adjustment, Court Approved Discretionary Visitation Adjustment And/or other Adjustments.** (The court must make written findings if any of these adjustments are made.)

- k. The court finds that the person responsible for paying child support has the ability to pay child support:

- ☐ In the amount entered on Line 34 of the Worksheet for \$ _____
☐ In an adjusted amount calculated using the self-support reserve on line 35 of the Worksheet for \$ _____

- l. **Custody of Minor Child(ren).** (Check/complete only if custody is contested or joint custody is ordered.)

- ☐ The custody order or agreement is in the best interests of the child(ren) for the following reasons: (List the reasons.)

REASONS: _____

- m. **Supervised or No Visitation.** (Check and complete only if supervised or no visitation is ordered.)

- ☐ **Supervised Visitation** between the children and ☐ Petitioner or ☐ Respondent, **or**
☐ **No Visitation** by ☐ Petitioner **or** ☐ Respondent, is in the best interests of the child(ren), for the following reasons: (Explain the reasons)

REASONS: _____

- n. **Domestic Violence.** If the court enters an order for joint custody of the child(ren), check box "1" or box "2" and explain.

1. ☐ Domestic violence has not occurred during this marriage, **OR**
2. ☐ Domestic violence has occurred, but the domestic violence **has not** been significant. Explain why joint custody is in the best interest of the child(ren) even though domestic violence has occurred: _____

THE COURT ORDERS: (F)

1. **MARRIAGE IS DISSOLVED:** The marriage of the parties is dissolved and the parties are restored to the legal status of single persons.

2. **NAMES:**

Wife's name is restored to _____. (Put only the last name here.)
Husband's name is restored to _____. (Put only the last name here.)

3. **ENFORCEMENT OF TEMPORARY ORDERS:** All obligations ordered to be paid by the parties in Temporary Orders dated (fill in dates of ALL temporary orders here) _____ are satisfied in full or ☐ judgment is awarded against the party with the obligation up to the amount due and owing as of the date of this Decree, with the highest legal interest allowed by law, for the total amount of \$ _____.

4. **CHILD CUSTODY, PARENT CHILD ACCESS, AND CHILD SUPPORT:**

a. **PREGNANCY:**

- ☐ A child who is common to the parties is expected to be born this date: _____
All orders below as to custody, access (visitation), support, and medical insurance/expenses include this child and all other children named below.

b. **CHILDREN:** This Decree includes all minor children common to the parties as follows:

NAME(S) OF CHILD(REN)

D/O/B(s) Birth/Social Security Number(s)

_____	_____
_____	_____
_____	_____
_____	_____

c. **CHILD CUSTODY:**

1. ☐ **SOLE CUSTODY:** Sole custody of the minor child(ren) is awarded to:
☐ Petitioner **OR** ☐ Respondent, subject to visitation as follows:

- ☐ Visitation to the parent not having custody, according to the terms of the Parenting Plan attached as Exhibit B and made a part of this Decree. **OR,**
☐ Supervised visitation to ☐ Petitioner or ☐ Respondent according to the terms of the Parenting Plan attached as Exhibit B. Visitation may only take place in the presence of another person, named below or otherwise approved by the court.

Name of supervisor: _____
Restrictions on visitation: _____

The cost of supervised visitation will be paid by ☐ Petitioner **OR**

- ☐ Respondent **OR** ☐ shared equally by the parties. **OR**
☐ No visitation rights to ☐ Petitioner **OR** ☐ Respondent. **OR,**

2. ☐ **JOINT CUSTODY:** Petitioner and Respondent agree to act as joint custodians of the child(ren), as set forth in the Joint Custody Agreement/Parenting Plan by the parties, signed by both parties and attached to this Decree as "**Exhibit B.**" There have been no significant acts of Domestic Violence by either parent. The court adopts the terms of the Joint Custody Agreement/Parenting Plan describing the custody and visitation agreement between the parties. By attaching the Joint Custody Agreement/Parenting Plan to the Decree, the Agreement becomes part of the Decree and carries the same legal weight as the Decree.

d. **CHILD SUPPORT:** ☐ Petitioner or ☐ Respondent shall pay child support to the other party in the amount of \$_____ per month, beginning **THE FIRST DAY OF THE MONTH** following the date this Decree is signed by the judge until further order of the court. Child Support is based on the information in the Child Support Worksheet attached hereto and incorporated by reference. All child support payments shall be made through the Clerk of the Court/Clearinghouse, and must include the statutory fee by the Order of Assignment signed this date. Payments will be in equal installments made on the 1st and 15th of each month.

e. **MEDICAL AND DENTAL INSURANCE, PAYMENTS, AND EXPENSES:**
☐ Petitioner or ☐ Respondent is ordered to provide medical and dental insurance for the minor child(ren). Medical and dental insurance, payments, and expenses is based on the information in the Child Support Worksheet attached hereto and incorporated by reference. The party ordered to pay must keep the other party informed of the insurance company name, address, and telephone number, and must give the other party the documents necessary to submit insurance claims.

FURTHER,

☐ Petitioner is ordered to pay _____ %, **AND**
☐ Respondent is ordered to pay _____ %
of all reasonable uncovered and/or uninsured medical, dental, prescription, and other health care charges for the minor child(ren), including co-payments.

5. SPOUSAL MAINTENANCE/SUPPORT:

a. ☐ Neither party shall pay spousal maintenance/support (alimony) to the other party, **OR**
b. ☐ Petitioner, **OR** ☐ Respondent is ordered to pay ☐ Respondent or ☐ Petitioner the sum of \$_____ per month spousal maintenance/support **BEGINNING THE FIRST DAY OF THE MONTH** after this Decree is signed. Each payment shall be made by the first day of each month after that and shall continue until the receiving party is remarried or deceased or until (date) _____. All payments shall be made through the Clerk of this Court by automatic wage assignment, until all required payments have been made under this Decree. Payments made shall be included in receiving spouse's taxable income and is tax deductible from the paying spouse's income as required by law. Spousal maintenance/support payments end if the receiving party is remarried or deceased.

6. PROPERTY, DEBTS AND TAX RETURNS:

a. ☐ Petitioner is ordered to pay all debts unknown to Respondent, **AND**
☐ Respondent is ordered to pay all debts unknown to Petitioner, **AND**
☐ Each party is ordered to pay his or her debts from the following date, _____
b. ☐ Other orders and relief relating to property or debt are contained in Exhibit A, which is attached and incorporated into this Decree.
c. ☐ Each party is assigned his or her separate property and Petitioner must pay his/her separate debt, and Respondent must pay his/her separate debt.
d. ☐ This Decree can be used as a transfer of title and can be recorded. Parties shall sign all documents necessary to complete all transfer of title ordered in this Decree, such as motor vehicles, houses, and bank accounts. The parties shall transfer all real and personal property as described in Exhibit A to the other party on or before _____ by 5:00 p.m.

If the party required to transfer the property has not transferred the property to the party entitled to receive the property on or before the date and time listed above, the party

entitled to receive the property is entitled upon application to a Writ of Assistance or Writ of Execution to be issued by the Clerk of the Court commanding the sheriff to put him or her in possession of the property.

- e. ☐ For previous calendar years, pursuant to IRS rules and regulations, the parties will file ☐ joint federal and state income tax returns and hold the other harmless from half of all additional income taxes if any and other costs, and each will share equally in any refunds, OR ☐ separate federal and state income tax returns. AND, ☐ This calendar year and continuing thereafter, each party will file separate federal and state income tax returns. AND, ☐ Each party shall give the other party all necessary documentation to file all tax returns.

7. **FINANCIAL INFORMATION EXCHANGES:** The parties shall exchange financial information (tax returns, spousal affidavits, earning statements and/or other related financial statements) every twenty-four months.

8. **TAX EXEMPTION:** The parties shall claim as income tax dependency exemptions on federal and state tax returns as follows. A party required to pay child support is only entitled to claim a child(ren) as an income tax dependency exemption if that parent has paid all of the child support due and owing for the year that party is entitled to the exemption:

Parent entitled to claim	Name of child	Tax year
<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	_____	_____
<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	_____	_____
<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	_____	_____
<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	_____	_____
<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	_____	_____

9. **CHILDREN TO WHOM THIS DECREE DOES NOT APPLY:** It is ordered that ☐ Petitioner, OR ☐ Respondent has no legal obligation or right to the child(ren) born during the marriage but **not** common to the marriage. These children include: (Use additional paper if necessary)

Name: _____ Birth date: _____
Name: _____ Birth date: _____
Child expected to be born this date: _____

10. **FINAL APPEALABLE ORDER.** Pursuant to Arizona Rules of Civil Procedure, Rule 58, this final judgment/decreed is settled, approved and signed by the court and shall be entered by the clerk.

11. **OTHER ORDERS.** (List any other orders.) _____

DONE IN OPEN COURT: _____.(G)

JUDGE OR COURT COMMISSIONER

IMPORTANT. READ ME. Arizona law (ARS 25-503(I)) states that, with certain exceptions, an unpaid child support order that became a judgment by operation of law (this means that it became a judgment when it was due and unpaid) expires three years after the emancipation of the last remaining un-emancipated child who was included in the court order unless it is reduced to a formal written judgment by the court. The person who is owed child support must apply in writing to the court to obtain a formal written judgment.

APPROVED BY: (H)

Petitioner: _____ Date: _____

Subscribed and sworn to me by the Petitioner, this _____ day of _____, _____

My Commission Expires _____

Notary Public

If you are filing a Consent Decree or if there has been a trial, the Respondent must sign:

Respondent: _____ Date: _____

Subscribed and sworn to me by the Respondent, this _____ day of _____, _____

My Commission Expires: _____

Notary Public

If either party is represented by a lawyer, the lawyer must sign:

Petitioner's Lawyer: _____ Date: _____

Respondent's Lawyer: _____ Date: _____

(If you are the Petitioner and have a Default Hearing, and Respondent was served with the court papers by signing an Acceptance of Service, or by Registered Process Server or Sheriff, you must mail or give a copy of the Decree to the Respondent after the Judge has signed it. You must tell the court you will do this.)

By signing below, Petitioner promises that a copy of the Decree will be mailed to Respondent at the following address:

Respondent's Name: _____

Address: _____

City, State, Zip code: _____

Petitioner's signature: _____

Date: _____

EXHIBIT A: PROPERTY AND DEBTS (I)

1a. DIVISION OF COMMUNITY PROPERTY:

☐ The following community property is awarded to each party as follows:

1b. LIST OF COMMUNITY PROPERTY. Be specific

AWARD TO:

Petitioner Respondent

<input type="checkbox"/> Household furniture/furnishings <div style="border-bottom: 1px solid black; height: 15px; margin: 2px 0;"></div> <div style="border-bottom: 1px solid black; height: 15px; margin: 2px 0;"></div> <div style="border-bottom: 1px solid black; height: 15px; margin: 2px 0;"></div>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<input type="checkbox"/> Appliances <div style="border-bottom: 1px solid black; height: 15px; margin: 2px 0;"></div> <div style="border-bottom: 1px solid black; height: 15px; margin: 2px 0;"></div> <div style="border-bottom: 1px solid black; height: 15px; margin: 2px 0;"></div> <div style="border-bottom: 1px solid black; height: 15px; margin: 2px 0;"></div>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<input type="checkbox"/> VCR <div style="border-bottom: 1px solid black; height: 15px; margin: 2px 0;"></div>	<input type="checkbox"/> <input type="checkbox"/> 	<input type="checkbox"/> <input type="checkbox"/>
<input type="checkbox"/> TV <div style="border-bottom: 1px solid black; height: 15px; margin: 2px 0;"></div> <div style="border-bottom: 1px solid black; height: 15px; margin: 2px 0;"></div>	<input type="checkbox"/> <input type="checkbox"/> 	<input type="checkbox"/> <input type="checkbox"/>
<input type="checkbox"/> Personal Computer	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Stereo	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> State Income Tax Refund	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Federal Income Tax Refund	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Motor vehicle _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Motor vehicle _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Motor vehicle _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Cash, bonds of \$ _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Other: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Other: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Other: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Other: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Award each party the personal property in his or her possession.		
<input type="checkbox"/> Continued on reverse side or see attached list.		

1c. DIVISION OF RETIREMENT, PENSION, DEFERRED COMPENSATION

(WARNING. You should see a lawyer about your retirement, pension, deferred compensation, 401k plans and/or benefits. If you do not see a lawyer regarding these assets, you risk losing any

interest you have in these plans and/or benefits. There are certain documents the plan administrator must have. Only a lawyer can help you prepare these documents.)

- ☐ Award each party his or her interest in any retirement benefits, pension plans, or other deferred compensation described as:

Petitioner's: _____

Respondent's: _____

OR

- ☐ The Plan Administrator and the parties have approved the Qualified Domestic Relations Order (QDRO) attached as Exhibit(s) _____. Do not check this box without first seeking the help of a lawyer.

OR

- ☐ Each party **WAIVES AND GIVES UP** his or her interest in any retirement benefits, pension plan, or other deferred compensation of the other party:

☐ Signature of Petitioner: _____

☐ Signature of Respondent: _____

OR

- ☐ Neither party has a retirement, pension, deferred compensation, 401K Plan and/or benefits.

1d. DIVISION OF REAL PROPERTY. Section A is for one piece of property. Section B is for another piece of property. If you own more than two pieces of property, check the box below and attach another sheet of paper with the information requested in A and B.

- ☐ More than 2 pieces of property are involved. See attached sheet listing the same information as in A and B.

A. Real property located at (address) _____ which is legally described as: (You must provide the legal description. The legal description can be found on the deed to the property. If you do not provide the legal description, you may have to come back to court to amend the Decree to include the legal description.)

LEGAL DESCRIPTION: _____

The real property as described above is:

- ☐ Awarded to ☐ Petitioner OR Respondent as his or her sole and separate property.

OR

- ☐ Shall be sold and the proceeds divided as follows:

_____ % or \$ _____ to Petitioner.

_____ % or \$ _____ to Respondent.

- ☐ This Decree can be used as a transfer of title and can be recorded. Parties shall sign all documents necessary to complete all transfer of titles ordered in this Decree, such as motor vehicles, houses, and bank accounts.

- ☐ _____ is appointed real estate commissioner to sell this real property.

B. Real property at (address) _____ which is legally described as: (You must provide the legal description. The legal description can be found on the deed to the property. If you do not provide the legal description, you may have to come back to court to amend the Decree to include the legal description.)

LEGAL DESCRIPTION: _____

The real property as described above is:

☐ Awarded to ☐ Petitioner OR ☐ Respondent as his or her sole and separate property.

OR

☐ Shall be sold and the proceeds divided as follows:

_____ % - \$_____ to Petitioner.

_____ % - \$_____ to Respondent.

☐ This Decree can be used as a transfer of title and can be recorded. Parties shall sign all documents necessary to complete all transfer of titles ordered in this Decree, such as motor vehicles, houses, and bank accounts.

☐ _____ is appointed real estate commissioner to sell this real property.

1e. DIVISION OF COMMUNITY DEBTS. (You should see a lawyer about how to divide secured and unsecured debts.) ☐ The following community debts shall be divided as follows:

Creditor(s)	Amount owed	Petitioner	Respondent
_____	\$ _____	_____	_____
_____	\$ _____	_____	_____
_____	\$ _____	_____	_____
_____	\$ _____	_____	_____
_____	\$ _____	_____	_____
_____	\$ _____	_____	_____

☐ Continued on reverse side or attached list.

☐ Any debts or obligations incurred by either party before the Respondent was served with the Petition for Dissolution that are not identified in the list above or attached shall be paid by the party who incurred the debt or obligation and that party shall indemnify and hold the other party harmless from such debts.

2a. SEPARATE PROPERTY. The following separate property is awarded as follows: (Be specific)

Description of Property. Be specific.	Petitioner	Respondent
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>

2b. SEPARATE DEBT. The parties are each ordered to pay his or her separate debt as follows:

Creditor(s)	Amount owed	Petitioner	Respondent
_____	\$ _____	_____	_____
_____	\$ _____	_____	_____
_____	\$ _____	_____	_____

Creditor(s)	Amount owed	Petitioner	Respondent
_____	\$ _____	_____	_____
_____	\$ _____	_____	_____
_____	\$ _____	_____	_____

SIGNATURES: (J)

Date: _____ Approved by Petitioner: _____

Subscribed and sworn to me by the Petitioner, on this _____ day of _____, _____.

My Commission Expires: _____
Notary Public: _____

If you are filing a Consent Decree or if there has been a trial, the Respondent must also sign:

Date: _____ Approved by Respondent: _____

Subscribed and sworn to me by the Respondent, on this _____ day of _____, _____.

My Commission Expires _____
Notary Public _____

If either party is represented by a lawyer, the lawyer must sign:

Date: _____ Approved by Petitioner's Lawyer: _____

Date: _____ Approved by Respondent's Lawyer: _____

If a Guardian Ad Litem is appointed, the Guardian Ad Litem must approve on behalf of the child and sign below:

Date: _____ Approved by Guardian Ad Litem: _____

If the Attorney General is involved in this case, the Attorney General must approve the child support amount only and sign below:

Date: _____ Child Support Amount Approved by Attorney General : _____